FLEMING TRIAL'S CLIMAX.

LITTLE FLOSSIE KING'S STORY OF TERRIBLE IMPORT.

When She and Gracie Floming Had Returned to Mrs. Fleming's After Belivering the Clam Chowder to Mrs. Biles, Gracie's Mother Satd: "I Hope You Did Not Eat Any of It"-The Supposed Polsoned Chowder Traced Step by Step from the Colonial Hotel Bestaurant to Mrs. Fleming's Room and Thence to Mrs. Bliss's-The Most Dramatic Day so Far in the Great Murder Trial.

Clam chowder and ple have so long been the stock in trade of the comic writers that, before yesterday's session of the Fleming murder trial, it would have been difficult, even for a regplar attendant at that trial, to imagine circumstances which would make the mere recital of the words "clam chowder and pie" a completely dramatic climax. Yet such those words were yesterday. Each day's testimony, as it is rapidly converted into a typewritten volume by the court stenographers, makes a book of about fifty thousand words; that is, about the size, say, of Anthony Hope's "The Prisoner of Zenda." Before yesterday there had been four weeks of the trial, of which two solid weeks were given up to testimony, and that testimony amounted altogether, in the shape it is daily laid before the Court and attorneys by the stenographers, to half a million words. It is safe to say that it would be impossible anywhere in all that wilderness of recital to find one thousand consecutive words in which there was not something relating to clam chowder and pie.

With the single exception of the brief opening statement on behalf of the people, it has never been alleged directly, in all that has been said in the trial, that Mrs. Fleming poisoned her mother by putting arsenic and antimony into some clam chowder and pie; yet no one who listened to the testimony, no one of the millions who have read the reports of the trial. has been allowed to remain in doubt for a single day that all of the aimost innumerable references made to those two articles of food had relation to the means by which Mrs. Fleming is charged with having poisoned her motherclam chowder and pie.

Doctors and nurses, the janitress, the land-

lady, the accidental visitor, the undertaker, the Coroner, the clerks, the hotel manager, officials in the District Attorney's office, messengers, the wise chemists. day after day and day after day have testified about certain claim chowder and pie. They have told of its finding, its removal thither and thence, its being locked in vaults and in closets, its being under the seal of police and property clerks, of its "differentiation of the identical and the identification of the different." All these witnesses have sworn and the warring counsel have examined and cross-

examined about clam chowder and pis.

Yet until yesterday this was, so far as swidence goes, very impersonal, so to say, clam chowder and pie. The skilful lawyers who are defending the accused have set up barrier walls in the shape of rules of evidence whereby, so far as the actual legal evidence before the jury is concerned, all these witnesses might have been talking concerning the favorite supper of some fur trader, at home where the lone wolf howis on Unalaska's shore, who happened to have a pronounced taste for clam chowder and

A MOMENT OF DRAMATIC INTEREST. This purely legal vagueness, that is the vagueness as to whose particular clam chowder and ple every one was talking about, has been so long sustained and under such dramatic conditions, conditions which affected a human life, that it is no wonder that the court room, crowded with the usual eager auditors, suddenly became possessed by the atmosphere which fills a great theatre at the moment when it is foreseen that some tragic denouement or a quick unravelline of a bewildering mystery is to be heard, when resterday morning a witness, a man who had been a waiter in the Colonial Hotel on the day Mrs. Bliss died, and who had just testified to having sent something to the room of Mrs. Fleming, upon her order, was asked what it was he had sent. Surely not a soul in that room but knew what his answer was to be, else why this building up of a half-million-word melodrama to that one point? Nevertheless, every one in the room lent fascinated attention, and all seemed to be moved by a dramatic shock as the witness repled: "Clam chowder and pie."

The waiter testified to having filled an order a waiter's assistant testified to having taken that order to Mrs. Fleming, the cashler of the restaurant testified to having turned in a charged check upon which that order was designated, a police officer testified to having recovered the was put in evidence, and last, and most dramatic indeed of all the events of the trial so far, came the whispered testimony, in a child's frightened voice, of eleven-year-old Florence King, who told her story of how she and little Gracie Fleming had carried that clam chowder and ute to Mrs. Bilss, Mrs. Fleming's mother. who told that when she and her little compan ion returned to the rooms of Mrs. Fleming and the child's mother, the defendant, had heard that the clam chowder and pie had been safely delivered, she exclaimed to her little daughter: "I hope you did not eat any of grandma's

chowder, Gracie." This little witness was blue-eyed and had blonde curis, and toward the end of her long story she became so much reassured by Mr. Mc-Intyre's kindly, paternal manner that she prattied on in her answers with no more restraint than any child of her age would tell of an adventure relating to a favored doll.

A MOVING INCIDENT.

Little Florence King's story was interrupted at one point, and during the interruption an incident occurred which brought frank tears to the eyes of one of the jurors, and only half concealed tears to the eyes of many others in the

Florence was not sufficiently definite in stating the date of the month on which she and Gracie Fleming carried the chowder and pie to Mrs. Bliss. In order to absolutely establish the date Mr. McIntyre had Florence step aside temporarily, and called the child's mother, Mrs. King, to the witness stand. That lady was extremely nervous and distressed. She feared for her child. She had never been in court before, and had read of the rough treatment some witnesses receive at the hands of counsel. In her mind it was a dreadful experience for her little girl, and she was plainly wellnigh distraught. She supplied the lack of definiteness in the date under question in her direct examination by Mr. McIntyre, but Mr. Brooke secured from her the admission that part of her knowledge concerning which she testified resulted from report of the day's occurrences made to her by her little daugitter, Florence. She knew nothing of the incompetency of hearsay evidence, nothing of the line distinctions the lawyers made about "speaking from your own personal knowledge," so when Mr. Brooke said to her, "You do not know that to be a fact, then?" the witness regarded him a second in astonishment and then said, with such perfect but absolute assurance that her manner and speech were touching, yes, superb, "Indeed, sir, I do know

it, for my little daughter told me." To her that was confirmation true as holy writ. There could not possibly have been a shade more of conviction in her tone and manner if she had just answered that the Bible was her authority for her belief in the immortality of the soul. Mr. Brooke raised his arm to strike, to convince this woman that having heard a fact related by her child was no evidence o the fact in a court of justice, when his crafty eye noted the effect of the incident upon the jury, and for once his hand fell without a blow.

RECORDER GOFF REBUKES THE LAWYERS. The tail end of Friday's storm caused a com motion in the court room in the morning, but before Mr. Brooke resumed his cross-examination of Dr. Scheele the Court had a word to say. eaking to the jury he said that he had had his attention called to purported interviews published in the newspapers with counsel on both sides concerning what they proposed to do

tioned the jury, he said, against reading newspapers, but knowing how difficult it was for even the most conscientious juryman to avoid being spoken to on topics discussed in the newspapers, even if they did not read the papers themselves, he wished especially to caution them against giving any consideration whatever to remarks made or purported to be made by counsel. Then the Recorder proceeded to de-liver a rather severe but left-handed lecture to the people's attorneys. He said that he could not tring himself to believe that representatives of the District Attorney's office, having in mind the solemn importance of their duties and the obligations of their caths as officers of the court, would ever make such statements to the press as had been attributed to them. Counsel on neither side rose to say that the "purported interviews" were anything else than correct reports of what both had said regarding the

Scheele incident of Friday afternoon.

Mr. Brooke resumed his cross examination in familiar style by asking witness Scheele if he knew a saloon keeper named Gruver, and a German editor named Mansfield, and some one whose occupation was not specified named Alt-The witness admitted acquaintance with these persons, and then Mr. Brooke asked him if he had not in a Broadway saloon said to them, referring to the defendant: "That woman must be convicted. My reputation depends upon it." The witness replied that he had not, Mr. McIntyre relieved his feelings by asking for and obtaining the addresses of the men-mentioned.

mentioned.

Q.—Did you say this to them in German or English? A.—No.

Q.—Did you say what I have quoted in substance? A.—No.

Mr. Brooke referred to a bill requiring chemical analysis of all beers which was introduced in the last Legislature and asked the witness if he had not said to Mr. Mansfield that if that bill became a law "you give me a check and I will prove poor slops to be good mait."

Mr. McIntyre—I object.

Mr. O'Sullivan—Oh, let him answer; it is too ridiculous.

Mr. McIntyre-Tobject.
Mr. O'Sullivan-Oh, let him answer; it is too ridiculous.
Mr. Brooke—I object to private counsel—
The Court (interrupting)—Mr. Brooke, you will not again refer to Mr. O'Sullivan as private counsel. The District Attorney has the legal right to ergage whatever assistance he deems necessary for the proper conduct of his office, and Mr. O'Sullivan having been so engaged is no more a private counsel here than you are.
Mr. Brooke—I object to the Court's ruling.
The Court-I have made no rolling. I have requested you not to refer to Dr. O'Sullivan as private counsel.
Mr. Brooke softly rubbed his chin with the palm of his chubby hand and remarked:
"I'll abide by the Court's request. What is the Court's ruling on my question?"
The Court-Tne objection to it is sustained.
Mr. Brooke changed the subject.
Q. Do you know May Carmen? A.—No.
Q. Do you know May Carmen? A.—No.
Q. Do you know May Carmen? A.—No.
Q. Did you not say in their presence at the Harbor Hotel, "Mrs. Fleming has got to die, I'll convict her, guilty or innocent?" A. smiling)—I did not.

THE FAMILIAR OLD WRANGLE.

Next Mr. Brooke inquired concerning the witness's connection with certain civil suits, and nothing came of it but the familiar old wrangle between counsel. Then he wanted to know if the witness was acquainted with the detective sergeant attached to the District Attorney's effice. Mr. McIntyre inquired what foundation Mr. Brooke was laying, and the latter responded that he proposed to prove that after the Meyers case the District Attorney, through that detective sergeant, inquired into the record of the witness. Mr. McIntyre said hotly:

"I wish to state that this witness is not a witness in the Meyer case and that the District Attorney has never made any liquiries concerning his record."

Mr. Brooke—I would like to be allowed to

his record."

Mr. Brooke-I would like to be allowed to

torney has never made any inquiries concerning his record."

Mr. Brooke—I would like to be allowed to prove to the contrary.

The Court finally impressed upon Mr. Brooke that it was wasting time inquiring into the acquaintanceship of the witness unless he was laving a foundation to prove that the witness had made declarations to the people mentioned, contrary to the declarations he had made in his testimony in this case.

Again Mr. Brooke changed the subject. He asked the witness if he had not passed a "forgeft" check on Edward Stratton of the Stratton Printing Company. The witness said he had not, and then Mr. Brooke changed the question asking if the witness had not passed a check drawmon a bank in which he had no funds. The witness denied that, and Mr. Brooke framed a number of additional questions on the rame line, until the Court wearily suggested that he would like to hear some questions germane to the subject in issue, which, as he recailed it, was whether the witness had discovered certain stateu quantities of arsenic and antimony in certain described substances. But Mr. Brooke persisted until if all the crimes of forgery and fraud in obtaining money under false pretences implied by his questions were true, it was amazing to see the witness a free man. Mr. McIntyre suggested that it was strange in view of the manifest meaning of Mr. Brooke's questions that the witness had remained in this city for years unmolested and unarrested. Nothing could stop Mr. Brooke, however. The witness asserted over and over that he had never got any money from anyone anywhere under any kind of faise pretence, but still questions implying that misdemeanor, or whatever the crime is, were ploddingly piled upon the record. Again Mr. McIntyre arose and said.

"Now, your Honor, is there no way of protecting this witness?" A few days ago Mr. Brooke said when we had proved the presence of poison in the body of the deceased that the defence was to be suicide by polson.

Mr. Brooke interrupting)—Never in your life. Mr. McIntyre conti

MR. BROOKE IN A RAGE.

MR. BROOKE IN A RAGE.

The long cross-examination finally concluded with the witness laughing and Mr. Brooke in another towering rage at Mr. O'Sullivan.

Q. Did you not say in a saloun across the way here a few days ago to A. Granville and R. J. liaire: "I can find chemicals in anything I am paid for."

The witness laughed outright at this and answered, "I did not."

Mr. Brooke said "That is all," and a moment afterward shouted: "Is that proper? May I call attention to Dr. O'Sullivan?"

The Court—What is it now, Mr. Brooke?

Mr. Brooke nightly injured—Why, your Honor, Mr. O'Sullivan has just asked in an auditale tone if R. J. Haire was not a convict.

Mr. O'Sullivan had no denial. He responded in a passionate crescendo, "I did, sir, I asked my colleague, is that R. J. Haire, the convict and shyster?"

Mr. Brooke—But you asked it loud enough for

l shyster?" Ir. Brooke—But you asked it loud enough for me to hear.
Mr. O'Sullivan-You have unusually long

Mr. U Suntrage cars.

Enter Court - Gentlemen, gentlemen.

Then Mr. O'sullivan once more took the witness for redirect examination.

Q. - These gentlemen - I will assume them to be gentlemen for the purposes of this question - Gruber or Kruger, and Althaus, and Mansfield; do you know what business they are interested.

m? A.—Beer.

Q.—And they have attacked you because you are interested in a bill to secure pure beer for New York? A.—They have.

Mr. Brooke moved to strike this answer out, and the Court so ordered, but not until Mr. O'Sullivan had exclaimed: "I want to show that these men have attacked Dr. Scheele, yes, and have attacked me, too, for our efforts to have a bill passed which would result in punishing men guilty of adulterating beer—a bill for pure beer."

pure beer.

Mr. O'Sullivan then handed to the witness a paper which the witness identified as his original report of his investigation in this case.

Q.—Did I ever have this report before now?

A. No. Q.—It is the one Mr. Brooke took surreptitiously from your office? A.—Yes.
Mr. Brooke—What's that; what's that?
The stenographer read the question, and then Mr. Brooke turned upon Mr. O'Sullivan and exclaimed: "Why, you read that report in my office."

fice."
Mr. O'Sullivan stood facing Mr. Brooke a commodious table happily intervened however -Mr. O'Suilivan stood facing Mr. Brooke a commodious table happily interveneed however—and shouted with uplifted hand; "It is false," The Court—Now. Mr. O'Suilivan. Mr. O'Suilivan—Your Honor, am I to submit here day after day having this man cast odium upon me? I am more jealous of my reputation than the gentleman who handles reputation lightly.

than the gentleman who handles reputation lightly.

The Court mildly lectured the beligerent counsel, and finally the case proceeded. There was a great deal more about that much-discussed original report. Mr. O'Sullivan took great delight in frequently referring to it as the one Mr. Brooke "surreputiously" took and Mr. Brooke in referring to it as "the one the witness had allowed him to take when he should not have done so."

The tact that the witness had been doing something of a questionable nature with the report was admitted by him in answer to a question.

tion.

Q.—Did you not say to the city editor of the Times: "You can come to my office, and I will go out leaving the report on my desk, and if you take it I want see you"? A.—No, that's what I said to you.

But all things come to an end, so it was said before this trial began, and at last the examination of Dr. Scheele, direct and re-direct, cross and re-cross, did come to an end, and then Mr. Miller, who has not been much in evidence for several days, arose and in his high piping voice asked Mr. Anderson, who has been identified as the man at the Colonial Hotel, to resume the witness stand. Mr. Miller indulgently endear-ored to learn from Mr. Anderson if the witness that not given to Policeman. Moore the Colonial bill of fare of Aug. 30, 1845. The witness could not remember. Then Mr. Brooke wanted to know from the witness what Mrs. Bilss had said to him when she begrowed lifty cents from the witness on or about the day of her death. Mr. Mointyre objected to the question uniess it was accompanied by a statement that the defence would be suicide. Mr. Brooke declined to make any statement, but asked a question instead.

Q.—Did she say that in a few days they would all have all the money they wanted?

This question was ruled out. Thereupon Mr.

This question was ruled out. Thereupon Mr. DR. SCHEELE'S EXAMINATION ENDED.



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brooke directed that the tray aiready frequently

Brooke directed that the tray already frequently in evidence be given to the witness.

Q. Do you recognize that tray? A.—It's a hotel tray. (Stricken out.)

Q. Do you recognize that tray? A.—It's a hotel tray. (Stricken out.)

Q. Do you recognize it? A.—Yes.
Q. Is it the kind in use at the Colonial Hotel? An objection to this was sustained, and then Mr. Milier called distance folker. The witness was a mild little German, and he testified through the stenographer, acting as a Greek chorus, that he was a water in the Colonisi Hotel on Aug. 30, 1865. He knew Mrs. Fleming, he said. He recognized a red meal check, and said that the writing on it was in his own hand. He had made out the check at about 1 o'clock on the afternoon of Aug. 30, Mr. Miller wanted the witness to fell what the writing was. Then Mr. Brooke began a series of objections which grow almost hysterical, as one after one they were overruled and Mr. Miller, by slow and stumbling processes, drew mearer and hearer the question every one anticipated. Mr. Brooke fought hard and fought all the time. The witness under these objections was permitted to say that he wrote the check when he had filled a certain order to be sent out of the resistariant by an assistant whom he called the omnibus.

Q.—When you wrote this check had you provided certain articles of food? A.—Yes.
Q.—In response to an order? A.—Yes.
Q.—On what was it? A.—On a tray,
Q.—What were those articles of food?

"CLAM CHOWDER AND A PIECE OF PIE."

"CLAM CHOWDER AND A PIECE OF PIE," "CLAM CHOWDER AND A PHECE OF PIE."

The witness answered, but for a time nothing could be heard but a passionate storm of objections, which centred where Mr. Brooke stood and filled all the resourding spaces of the court room. Again and again the Court overruled the objection and directed the witness to answer, and the hips of the witness were seen to move, but it was only when Mr. Brooke ceased his wild alarmis from sheer physical exhaustion, and the witness was once more directed to answer, he was heard to say: "Clam chowder and a pieceof pie." answer, he was heard to say: "Clam chowder and a piece of pie."

Stenographer Beard repeated the answer. Mr. Miller repeated it, thoughtfully. Mr. McIntyre repeated it, as though not quite certain, and Mr. O'Sudivan repeated it, and the very wrinkles in the back of his cont showed that he was repeating it for Mr. Brooke's benefit. Then every one in the court room repeated it to his or her neighbor, and the little witness booked amazed that so small an order could create such excitement.

Q.—In whose presence did you make out this meal check? A.—In the presence of Jimmy, the omaibus.

Q.—Il hand you another piece of paper. Do you recognize it? A.—Yes.

Q.—I many you another piece of paper. Do you recognize it? A.—Yes a meal check. Q.—In whose handwriting? A.—In mine. Q.—When was the order brought for this meal? A.—At 5 P. M. Aug. 30, 1805. Q.—Who brought the order at 5 P. M. which you filled with the articles written on this check? A.—Two little girls; one was Gracie Filming.

theck? A.—Two little girls; one was Gracie Floritics.
Q.—Daughter of the defendant? A. Ves.
Q.—Where day you get the things ordered?
A.—In the kitchen of the hotel.
Q.—What did you do with them? A.—Gave.
them to Jimmy the omnibus to take up—
The witness got no further just then. Mr.
Brooke recovered with a shrick, which took the
form of the faminar "Tobject."
Q.—What did he do with them?
A shrick Tobject.
Q.—Where did he take them?
A shrick—Didect.
Mr. Meintyre to Mr. Milleri—Ask the witness
in what direction the omnibus went with the
food!
Q.—In what direction did the omnibus go with
the food?
A shrick—J't.
The Court—The witness may answer.
The Witness—He went in the direction of upstairs.

stairs.
Q. - What were the articles of food you sent at 5 o'clock? A. - Ronat beef, corn, potatoes, and beer. THE JURY'S SANITY MENACED.

When Mr. Brooke got the witness he wanted to know how he could identify the date on which he filled those orders; might it not have been Friday the 23d? No, said the witness, he was off on every other Friday. Then it came out that he was off half a day on alternate Fridays and Wednesday, and of course Mr. Brooke so a had him mixed up in a juggle of yord. liroske so a had him mixed up in a juggle of words. The withers considered himself off on a day when be was off on any part of it, and as soon as he had spoken of some things he had done in his capacity of a waiter on a day when he was off. Mr. Brooke assumed that he had testified to doing things at the hotel when he was not there, and the eiderly counsel belowed and thavied and roared and jumped and stamped and stormed, and this he kept up without any objection from the people's attorneys, as they had discovered he force Mr. Brooke did that the latter's jerformance was driving the jury to the verge of insanity. During this performance the neon whistle, a steam whistle of mighty power, birw in a neighboring Centre street sloop, and it was heard with grateful cars for it drowned even Mr. Brooke's voice.

Mr. Mrintyre took the witness for redirect examination, and in a minute had the waiter identity the day on which he had sent the omnibus upstairs with chowder and die as the Friday preceding the Tuesday on which Mrs. Firming was acrested. This exact identification went in evidence against the frantic lowes of the senior counsel for the deletidant.

Next was called to the witness stand Jimmy, the omnibus, an American iso, trightened almost into utter specialises the frantic lowes of the senior counsel for the deletidant.

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Next was called to the witness through having witnessed the experience of his predecessor upon the stand. The omnibus has a name. It is James Indianation the distribution of the standard of the check was signed by trace of the senior and to deletidate and the check was signed by trace of lease and the check was signed the check.

TESTIMONY OF THE OMN

TESTIMONY OF THE OMNIBUS. Q. What did it call for and what did you deliver to Mrs. Fleming's room at that time?
A. Clam chooder and pie.
His direct examination was brief.
Mr. Brooke cross-examined.
Q. You cerved Mrs. Fleming breakfast fremently of A Voss.

Q. You served Mrs. Fleming breakfast frequently? A. Yes, Sir. Q. And dinner? A. Sometimes. Q. And you saw Mrs. Bliss with her at dinner frequently? A. Sometimes. Q. How much clam clowder did you deliver to her on the time you have testined to? A. Sometimes. to her on the time you have testified to 7 A.— One portion. Q. Just a little bit, eh—a portion? Justa lit-tle portion, eh? A.—A portion. the portion, ch? A.—A portion? Just a lit-Q.—What is served to one, ch?. A.—A por-tion. Q.-Who was there when you served the chowder? A.-Mrs. Fleming, Gracie, and the King giri.

Mr. Brooke tried to make a chowder party out of this incident, but the witness said that he took with him on his tray a layout for only one piece of pie. Q.-Did you wait until you saw what was done Q.—Did you wait until you saw what was don with the chowder? A.—No. Q.—Ah! you did not see them eating it? A.— -Did not see Mrs. Fleming and Gracie and Q.—Did not see Mrs. Firming and Gracie and Florence eating it? A.—No, sir. Q.—How long did you stay? A.—A minute; just had the check signed and went away. Q.—Did you go there again that day? A.—Yes. Q.—Do you remember the statement you made in Mr. Okie's office, saying that you did not see her again? A.—I may have said so.
Q.—When did you take the tray away? A.—The next day.

next day.

From her room? A. From the hallway.

Don't you remember in your statement to

pointed out the quartet of lawyers representing the defendant.

Q.—How did you happen to go to their office?

A.—I was telegraphed for by Mr. Brooke.

Q.—What did the telegram say?

Mr. Brooke objected.

Mr. McIntyre—Very well. If you confess it, that is all.

Mr. Brooke—The District Attorney sent for you after you had been to Mr. Okle's office?

you after you had been to Mr. Okie's office?
A.-Yes.
Q.-And then the District Attorney sent you to the House of Detention? A.-Yes.
Q. they Mr. Meintyre-And you knew the District Attorney was looking for you for a long time? A.-No, indeed, I did not, sir.
Mr. McIntyre-Well, you may go now.
The next witness was Julia Keating, the restaurant cashler at the Colonial Hotl. This witness remembered having seen Gracle Fleming in the restaurant on Aug. 30 and testified that Eckert and Hedmond were on duty that day. Then she made formal identification of the meal checks and identified the cashior's statement she had made on the day on which the check for the chowder and pie was charged.

FLOSSIJ KING TAKES THE STAND.

FLOSSII KING TAKES THE STAND.

When this witness left the stand Mr. McIntyre rose and said: "I sak to be excused for a few minutes. The People are about to call Florence King, and I wish to go for her in person." This announcement created a decided sensa-tion. Mr. McIntyre returned leading by the hand the bim-eyed, blonde-haired child, who was to give the most damaging testimony of the day. They were followed by Mrs. King, ner-vous and frightened. The latter was shown to a seat inside the bar, and Mr. McIntyre led the little girl, holding her by one hand and one arm half around her, to the witness chair, and seemed to be a greatly relieved man when he had safely conducted her to that place. He then said:

seemed to be a greatly relieved man when he had safely conducted her to that place. He titen said:

"Your Honor, though this witness is but 11 years old, I believe upon Investigation you will find her possessed with a sufficient degree of intelligence to inderstand the nature of an oath and the meaning of testimony."

The Recorder drew his chair over close to where the little girl sai, and the stenographer placed his chair close on the other side. It was a peculiar and pretty court pleure. For a long time the three heads were hold together closely, and inade a striking contrast, the jet-black hair of the stenographer, and the long gray hair of the Recorder making a background to the childsh blonde curls of the witness. For some time the Recorder questioned her, but in a volce which only those three heard, although everybody in the court room remained unisually quiet, anxious to catch the first lones of this dramatically important witness. After a time the stenographer resumed his official place, and the Recorder announced that as a result of his examination he was satisfied as to the general intelligence of the witness, and within his discention, he directed that the witness he swern in the ordinary form.

Mr. Brooke was not satisfied. He asked that Stenographer learni read the notes of the Recorder's examination. The Recorder directed Mr. Brooke was not satisfied.

I propose that he read them aloud for the benefit of the form of the first of the man of the line-in of the stenographer's to read all these notes, I propose that he read them aloud for the lone-in of the Stenographer's to read all these notes, I propose that he read them aloud for the lone-in of the Stenographer's to read all these notes, I propose that he read them aloud for the lone-in of the Stenographer's to read all these notes, I propose that he read them aloud for the lone-in of the Stenographer's to read all these notes, I propose that he read them aloud for the lone-in of the Stenographer's desk and hear them read. Mr. Brooke and stood by

To this air, is not also as the distribution of Lam quite satisfied with the distribution of Lam quite satisfied with the Court. Then Mr. McIntyre went and stood by the little girl's chair, and Mr. Brooke stood by his side. Florence less all of her nervousness, and, while she could not be heard beyond the stenographer, she seemed to be telling, her story with manufacture and composite. Some of her testing the seemed to be telling, her story with the story of the testing of the story with the seemed to be telling. while she could not be heard beyond the stenorrapher, she seemed to be telling her story with
condidence and composure. Some of her testimony was repeated as it was given by Mr. MeIntyre, and some by the stenographer, but most
of it was unheard until after it was all given,
when the stenographer translated his notes for
the benefit of the jury. Mr. McIntyre in a reassuringly paternal tone began:
Q. Now, your name is Florence King, isn't
it? If that's so this gentleman here can write it
down, A.—Yes, sir.
Q. And you have a papa? A.—Yes, sir.
Q. And you have a papa? With papa and
mamma? A.—Yes, sir.
Q. And you have a pope with papa and
mamma? A.—Yes, sir.
Q. How old are you now, Florence? A.—I
am past 11, sir.

am past 11, sir.

Q.—And when was your eleventh birthday?
A. On the 20th of January, sir.
Q. Where have you been living for the past few weeks? A.—With my and to Mt. Vernon.
Q. Now, Florence, do you know Mrs. Fleming, who is the defendant here? A.—Yes.
Q.—And you know little Gracie Fleming? A. How long have you known them? A .-

Where did you live when you knew them
A. - At 500 Manhattan avenue. A.—At 500 Manhattan avenue.

And where were Gracle and her mamma;
then? A.—In the hotel near by.
Do you remember the number? A.—504.
Ind you see Gracle after she went to the hall Hotel? A.—Yes, I went to play with Where do you go to school? A .- In 124th You had a vacation last summer? A .-

Q. Did you go to Gracie's house in the vaca-

ness, in the stand.

Mrs. King was sworn and said that she had hever known Mrs. Fleming, but she knew that Florence played with Gracie at 504 Manhattan avenue. Florence's vacation ended Sept, 9. She knew that Gracie hipsel with Florence during the vacation of last summer. On Friday, Aug 30, the witness went to the Colonial for Florence, but was told by Manager Anderson that she was not there.

Mr. Broske managed to have this stricken out, and then Mr. Melntyre fixed the date in various vars. The witness said that on Friday, Aug. 30, returning from down town, and the difference of the first King's store, and from somethine she had heard. enme to cross-examination, Mr. ls there any circumstance which recalls

knowledge?
It was then that the mother answered, with
the splendid conjidence of a tuality: "Why, of
course I know, sir, because my little girl told me.

Mr. Brooke moved to strike out all of her testimony on the ground that it was hearesy evidence. The motion was denied.

Then Florence resumed the witness chair, and her mether sat close by her during the rest

and for mother sat close by her during the rest of her examination.

Q. Now, on that day you have described, where did you go after you had played with the dolls? A. I went to my home.

Q. Did Gracie go with you? A.—Yes, and her little brother.

Q. What did you do?

Mr. Brocke objected.

Mr. Meifstyre—You do not want me to ask confusing questions to a child of eleven?

Mr. Brocke your questions would confuse a child of one hundred and eleven.

Q. What did you do when you went out that time with Gracie? A.—I went up to my home to much. And after that? A. I went back to Gracie's,
Q.—Did she walt for you? A.—Yes,
Q.—And after you went back to Gracie's house
who did you see there? A.—Her mamma.

DELIVERY OF THE CHOWDER TO MRS. BLISS. Q. And did you do anything after that? A.— We went to Gracie's grandina's. Q. Hefore you went out what did Gracie's mannin say? A.—She raid we were to take some claim chowder and a piece of pie to Gra-What was the chowder in 7 A.—It was in How did you carry the pie? A .- It was wrapped up. Q.—Did you go over to Gracie's grandma with A. Yes.
And did you see Gracie's grandma, Mrs.
A. Yes.
What did Gracie do with the tin pail?

She gave it to her grandma.

And the pie? A. Yes, sir.

What gid Mrs. Bliss do with the pie? A.ut it on a plate.

Q.—Where were you standing when this was one? A.—I was looking in the kitchen.

Q.—What did Grandink Bliss do with the clam howder? A.—She poured it out in a pitcher.

Mr. McIntyre straightened himself up—he had Mr. McIntyrestraightened himself up he had been bending over the little girl and said.

"Grace's grandma took the claim chowder in the tin pail and poured it into the pitcher."

Of course Mr. McIntyre repeated this only for the benefit of the jury, but the audible long indrawn breaths of the crowd showed how thankful others than the jury were to learn that this striking piece of evidence had at last been piaced on record. Then he bent over the little witness again and asked:

Q.—And where was that pitcher? A.—On a chair.

In what room? A. The kitchen.
What did you do then, Florence? A.—
went back to the hotel.
Did you see Mrs. Fleming there? A.—
sir. s. sir.

What did Gracie say to her mamma? A.
he said that grandma said it was very kind
mamma to send the clam chowder. THE CLIMAL OF THE DAY.

Only occasionally an answer was repeated. The audience followed the sxamination only so far as the questions led them. To many of the

"Facts are stubborn things." GIL BLAS,

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naswers which she could not possibly have heard the defendant shook her head negatively. Otherwise her demeaner was unchanged. She still smiled occasionally and sometimes spoke with her sister. Her appearance was changed but slightly. She was a trifle pale, that was all. Q. What did Mrs. Fleming say to Gracie, when Gracie told her what Gradiania Biss had said? A. She said 'tracie, I hope you'dly not cat any of grantima's chowder.'

O. What did Gracie say then? A. She said, "No. ma'atm."

O. What did torries as then? A.—We walked over to the park, Gracie and her brother Harry Before you went there did Mrs. Fleming you something to eat? A. Yes, sir.
What was it? A. Some kind of meat, I
t remember what.
Anything else? A. Some potatoes and

Who brought them? A. Mrs. Fleming Q.—Who brought them? A.—Mrs. Freming sent for them.
Q.—When you came back from the Park? A.—I went home.
Q.—Was your mamma at home yet? A.—No.
Q.—Do you remember a few days afterward going to a police station and telling this to some one there? A.—Yes.
Mr. McIntyre again drew himself up, and then said: "Now, Florence, I am going to stand aside, and Mr. Brooke here will ask you some ques-tions. Do not grow nervous at his questions.

MR. BROOKE TAKES THE LITTLE WITNESS.

The admonition was unnecessary. Mr. Brooke speke to the child as gently as he would to his own. He tried, to be sure, by skilful questioning to modify the terrible indictment her childish lips had framed, but the story at the end remained the same. In answer to his questions her said that she had been to the police station several times when she was sent for.

Q. You told your story over a great many times at the station house? A. No, first off, I told them all, and after that they only asked me a few questions.

Q. Was the chewder wrapped up? A. No, it was in a tin pail, with a paper around the pail. The pie was wrapped up.

Q. What kind of pie? A. Apple pie.

Q. What did you go with the tin pail afterward? A. Gave it to Mrs. Fleming.

Q. Did you see what she did with it? A.—No, sir.

Mr. Brooke and:

"That is all "but Mr. Mrs. MR. BROOKE TAKES THE LITTLE WITNESS.

o, sir. Mr. Brooke said: "That is all," but Mr. Mc-

Yes.

Q. Did you go to Gracie's house in the vacation? A.—Yes.

Q. Ever on a Friday? A.—Yes. We played with dolls.

Q. And what did you do after that?

Mr. Brooke said: "That is all," but Mr. Mc-Intyre had another question.

Q. How did you know it was clam chowder in the indictment had not been fixed by the witness.

Q. To you remember the month, Florence, when you went to Gracie's house and dayed with the dolls? A.—It was August.

Q. Can you tell what part of August? A.—It was just before school openied.

Q. Was it the last part of vacation time on a Friday in August? A.—Yes if was.

Q.—Can you tell what part of vacation time on a Friday in August? A.—Yes it was.

Q.—Can you tell me when vacation ended? A.—A little time after that.

Mis. Ring Fines The DATE.

Mr. McIntyre—Perhaps Mr. Brooke is justified in his objection, but if you will permit, your Honor, I will interrupt Florence's examination at this time and fix the date absolutely increding.

Some Existing Defects.

Architect 1. H. Broome, who prepared the

plans for Jersey City's new million dollar City Hall, which was described by an architectutural monstrosity, sent two communications to the City Hall Commissioners yesterday af termon, calling their attention to a number of defects which still exist. The contractors are anxious to turn the building over to the city and receive their final payments. Mr. Broome reports that the roof is not tight nor proof against storms. The electric wirfing is defective, and the galvanized from work on the cresting is badly lamaged. The panels of the pediments are not what the stecilications call for, the passenger devator has not been unit in, the exterior tin needs a coat of metallic paint, the leaders are not properly connected, and show bad leaks. A few other things Mr. Broome complains of are that the wood flooring in the basement is not level or in good order, the exterior whale vs are not provided with 10cksts so that the saish weights can be got at, and the windows and doors throughout the building do not once and shut freely. Besides this, the glazed brick needs repairing and pointing up, the drains in the Montagenery and Mercer street sides need to be connected with the sewers, and there is a variety of other things that ought to be done. The Commissioners were so impressed with ing is defective, and the galvanized fron work The Commissioners were so impressed with the condition of the building as described by the supervising architect that they postponed awarding contracts for the furniture.

Washington, June 8.-A medal of honor has been awarded Edward E. Dodds, late Sergeant Company C. Twenty-first New York Cavalry, "for most distinguished gallantry in action at Ashby's (rat), Va., July 10, 1894." This non-commissioned officer, at great personal risk, rescued his wounded Captain and carried him from the field to a place of safety. Mr. Bodds is the United States Consular Agent at Peter-borough, Out.

QAAAAAAAAQ -VIXTURE ARTICAL TORRE **MARYLAND** CLUB MIXTURE

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THE JACKSON INQUEST.

NEWMARKET PEOPLE REGRET ITS HASTY CONCLUSION.

Evidence as to Mrs. Jackson's Mental Condition Not Taken-Her "Far-we'l Let-ter" No Longer a Mystery-County At-torney May Move for Jackson's Release. The people of Newmarket, N. J., give every evidence of an anxiety to atone for the hasty action of the Coroper's jury by which Reporter Charles H. Jackson was held responsible for the death of his wire. They are profuse in declara-

tions of belief in Jackson's innocence.
A member of the Titsworth household, in which the Jacksons boarded, has made an in-teresting statement touching Mrs. Jackson's state of mind immediately before her death. One night within a week ago, this young veman says, she was with the Jacksons in their sitting room, when Mrs. Jackson, without any apparent excuse, asked her husband where he kent his revolver. Jackson replied laughingly that he wouldn't tell her, adding, "Why, do you want to use it ?"

"No," answered Mrs. Jackson, "I don't believe we'll need it," or words to that effect.

Mr., Jackson then left the room to prepare the children for bed, and while she was out Jackson explained to the visitor that the revolver, "a rusty old thing," was on a top shelf in a closet and he didn't want the children to know where it was kent.

The young woman who fold this story to a Sun

reporter yesterday was present at the inquest on Saturday. She says that Jackson rehearsed the incident to the Coroner and referred to her as able to corroborate him. The Coroner paid no attention to this opportunity. The revolver found beside Mrs. Jackson was the one referred

found beside Mrs. Jackson was the one referred to here. It is rusty and in poor order. When put in the hands of the Coroner it contained two empty shells and one cartridge.

The secrety about the alleged farewell letter was removed yesteritay. It reads:

My Daniso Jack Sleep and worry have driven me nearly frantic. The cares of motherhood are more than I can shoul. Six years ago I thought that all poetry of love was in the maternal relation, but now i realize the awful responsibility. The fear that our colured may grow up had hands me, especially as our order during fold me to day a delinerate lie. I was stunied an broken but.

It is color essent broken but day, when I want love, strength, and confort he is not be retained the love for the post of the post of the boys. For the west low and the love thek per form when the love, and be good to the boys. Your wife.

It is said that Mrs. Jackson very seldom used

Your wite.

It is said that Mrs. Jackson very seldom used "Many" as a signature.

A second letter was turned over to Prosecuting Attorney John Voorhis by Dr. Samuel Long, the county physician, It had been torn ap and the pieces inserted in the envelope of a letter to Mrs. Jackson from a giri friend in Alfred tentre, N. Y. It is addressed to her husband's mother, who lives in England, and reads:

husband's mother, who lives in England, and rends:

Described N. J. June 5, 1890.

My Dean Mothers One week to merrow we start for England. Mother comes show in a few days. Bert is beganning to feel loner, but he wants us to go, just the same. If it was a rip anywhere else I would give it to now. I didn't realise how lonely he will be. I think us agree perfective in the "meal question, I think if het only disagreeable to have one sate to meals but sailt ends, we will find refreshment elsewhere. It seems thest to come now trainer than also indiffy, for I must be at home for my school next year. If we had extrem fager we could have see more of the children humblies mothed for the seem more of the children humblies mothed for the property of the children humblies mothed for the hor we sail, it. Hoping to see you soon, believe me, affectional by your damater.

County Prosecutor Voorhis said to a Sun reporter that he was waiting for expert testimony on the handwriting of the farewell letter "and one or two like matters" to determine to his own satisfaction whether there was any reasonable doubt of Jackson's innocence. He said he deprecated the hasty closing of the inquest. Should he be satisfied that Jackson is not responsible for the death of his wife, he would bring the prisoner before Junge Woosthridge Strong and have him discharged. Otherwise Jackson will be held for the September term of the Grand Jury.

Mrs. Jackson's body was to have been sent to Aifred Centre vesterday, but Undertaker Runyon was ordered by the Prosecutor not to send the body out of the Stare. For the present it will be kept in the receiving yould of the Hilliside Cemetery at Plainfield.

The children were taken to Alfred Centre on Sunday by E.

will be kept in the receiving vault of the Hillside Cemetery at Plainfield.

The children were taken to Alfred Centre on
Sunday by F. A. Dunham, a friend of the
family, there to be placed in the care of their
grandmother, Mrs. Carter. Their uncle, James
Carter, says that he is perfectly satisfied that
Mrs. Jackson died by her own hand.

Miss. Florence Fraser, daughter of James
Fraser, a florist of 880 Myrile avenue, Brooklyn, an uncle of Jackson, visited the prisoner in
his cell yesterday. She said her cousin was
very much depressed and protested his lunocence. Mrs. Jackson visited the Frasers at
Easter time and was then very cheerful. She
talked about the proposed trip abroad and
wrote them a note afterward, but gave no intimation that she was despondent.

POLICY SHOP RAIDED.

Two Men with Policy Apparatus Captured at 50 Brond Street.

Another policy raid was made yesterday afternoon by Anthony Comstoca, assisted by boulevard as a thoroughfare. When such ve-Policemen English and O'Connor of the Cen-tre Street Police Court squad. The alleged policy shop was in a small room in the rear of the second floor at 48 Broad street. In the room, surrounded with the usual policy apparatus, was a man who gave his name as John Parker. Mr. Comstock says his real name is

ratis, was a man who gave his name as John Barker. Mr. Comstock says his real name is John Maloney.

A second man, F. W. Sargent, who says he lives in Jersey City, was also arrested. Sargent is a bartenner of a salson in the basement at 50 Bread street. According to Mr. Comstock, the plays are given to Sargent in the salson. He also receives the money, and sends the numbers up to Barker or McGowan in the hundling next door. The latter records the numbers and sends the slip down to Sargent, who gives it to the player.

The two men were arranged before Magistrate Flammer in the Centre Street Court and held in \$1,000 ball for examination.

Jones Seconded Nolan in a Pight Which

Thomas Jones was arrested early yesterday morning at 65 Sixteenth avenue, Newark, charged with being a fugitive from justice in Connecticut He was second for Patrick Nolan when the latter fought Thomas Houlihan in New Britain on May 12. Houlihan died shortly New Britain on May 12. Houlman died shortly afterward, and Jones. Nolan, and others interested in the fight left, Both Nolan and Jones have been in Newark, but Nolan heard that officers were searching for him, and he flitted, Jones suid that he had no objection to being arrested, and was found in bed. He was committed to jail to await requisition papers.

Trolley Aveldent in Middletown. MIDDLETOWN, N. Y., June 8. - Two brothers, Phomas and Joseph Gorman, while driving tonight along the tracks of the Middletown-Go hen traction, in the suburbs of this city, their horse suddenly reared and plunged directly in horse suddenly reared and plunged directly in front of a trolley car going at a speed of twenty-nie miles an hour. The wagon was completely demolished and both men fell directly in the tath of the car and were rolled a distance of seventy feet by the brake beam. Thomas is fatally hurt and his brother to seriously injured that the physicians are as yet unable to determine his chances for life. Strange to say, the horse, after being rolled over by the car, jumped up and ran away.

Writ to Get Cassatta Out of Sing Sing. Howe & Hummel obtained yesterday from Justice Andrews in the Supreme Court a writ of abeas corpus directing the Warden of Sing ing prison to produce in court Francesco Cas atta, who was sentenced to nineteen years im risonment by Recorder Golf for manislaughter and whose conviction was reversed last week by he Appellate Division and a new trial ordered it is alleged that the man is detained illegally dispelease will probably be asked for, and fail-ing this, the Court will be asked to fix bail,

To Persuade the Nor olk and Western. Henry Fink, one of the Norfolk and Western President Thomas of the New York Central and President Thomas of the Eric in regard to the attitude of the Norfolk and Western toward the Joint Traffic Association. Mr. Depew and Mr. Thomas are members of the committee ap-pointed to persuada that road and the Canadian Pacific to join the association. resident Depew of the New York Central and

The Hon, Tobius Lord Kills Himself. PORTLAND, Me., June 8 .- Tobias Lord of Steep Falls, Standish, has been insane for some time, and was to be taken to the Augusta insane asylum to-day. About five minutes before the train started he shot himself dead. He was a leading citizen of Staudish, and had been State Senator and a member of the Governor's Coun-cil.

Thomas Lyons of 700 East 145th street, a a freight train in the New York. New Haven and Hartford Railroad yards at 132d street and Willis avenue. He died soon afterward at the Harism Hospital. brakeman, was run over yesterday afternoon by

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Cars and the property of the Property of the

MISS WORRALL'S DEATH. Her Stater Knows No Reason Why She

Should Kill Herself. SAN FRANCISCO, June 8 -- An autopsy was held last evening on the body of Miss Worrall, the young English tourist, and it was found that her death was due to the use of non-corrosive poison. A thorough investigation of the circum-tances surrounding her death is now in

progress. LONDON, June, 8.-Upon receipt of a cablegram announcing the sudden death in the Palace Hotel, in San Francisco, of Miss Mayne Worrall of Chester Lodge, Gliston road, South Kensington, London, on Saturday, a reporter called upon Mrs. Hyde, a sister of the deceased lady, at her residence in Hyde Park mansions, Mrs. Hyde informed the reporter that Miss Worrall was of a bright and happy disposition and entirely free, so far as she knew, from care, Only yesterday, she said, she had received a letter from her which her eister had written to her the day before she sailed from Sydney, N. S. W., for San Francisco on board the steamer Alameda.

In the letter Miss Worrall made a number of inquiries concerning family affairs and intimated that she was in excellent health and high spirits. Mrs. Hyde could not conjecture any reason why she should have poisoned herself if that theory were tenable. gram announcing the sudden death in the

HE BEGGED TO BE LOCKED UP. Bookbinder Dubler Is Afraid He May

Harm Himself or Others, John Dubler, 32 years old, a bookbinder, of 148 North Tenth street, Williamsburgh, ran into the Bedford avenue police station on Sun-day night and begged to be sent to a lunation asylum before he had a chance to kill himself. He said that on his arrival in this country from Germany a month ago he went to the house of two friends at 630 Humboldt street, Williamsburgh. These friends became ill and died within a week of each other. Dubler said that worriment over their death seemed to have unbalanced his mind, and he was afraid that he might anced his mind, and he was afraid that he might harm himself or others.

A charge of interication was made against him, and as a leaded 38-calibre revolver was taken from him an additional charge of carrying a revolver without a permit was made and he was locked up. When he was arraigned in the Lee Avenue Police Court yesterday he rold Justice Goetting that he had no recollection of his conduct, but that the death of his friends had grieved him greatly. He was sent to jail for three days.

USED THE RESTRICTED ROAD.

Two Truckmen Arrested for Driving on the The Hudson County Board of Freeholders has established a regulation prohibiting heavily laden trucks, express wagons, or business wagons except very light ones from using the new hicles have to go on the road to receive or de hicles have to go on the road to receive or de-liver goods the drivers must turn off at the nearest side street to the point of receiving or delivering. Two drivers, Frederick Smith and Alonzo Van Tine, refused to turn off yesterday and were arrested. Louis Steinberger, Van Tine's employer, has engaged a lawyer to test the validity of the regulation. He declare that there is no authority to promibit anybody from driving on a public thoroughfare.

BURDEN JEWELRY RELEASED.

A Customs Officer to Be Present When the Scaled Package Is Opened,

Free entry has been granted for the Burden lewelry recovered in London, with the provision that when the seals on the package are broken a clustoms officer shall be present to see that it contains only the arricles inventoried when the extradition papers were granted for the thioves who stole the jewels.

Mayor Glenson Won't Pay Knapp's Clerk

Mayor Gleason of Long Island City declined restorday to issue to City Treasurer Knapp a warrant for the salaries of the clerks employed in the Treasurer's office. He gets \$250 a mouth for clerk hire in connection with the collection of unpaid taxes, and \$333,33 a month for clerk hire under the tax laws of 1886 and clerk hire been his custom to call upon the Mayor for one warrant for the entire amount. Mayor Gleason says that the clerks in the Treasurer's office should receive warrants for their relaries and not be paid by Mr. Knapp.

He contends that the City Treasurer pays his clerks very small salaries, and realizes a constituenable profit off the amount allowed by the city. He saws that Treasurer Knapp declined to furnish the Mayor with the salary list of his office. Treasurer Knapp announced that his would ask the courts to compel Mayor Gleason to give him the salary warrant. under the General Improvement act. It has

PORT Juny is, June 8 .- Mrs. Martha Whitaker of Port Jervia, who has been confined in the Goshen prison for the past two months harged with the poisoning of her mother, Mrs. charged with the poisoning of her mother, Mrs. Frances Snyder, was discharged to-day on the application of her attorney, William Bennett, the Grand Jury which has been in session during the past week haying failed to find an indictment against her. The motion for her discharge was opposed by District Attorney Hirschierg, who claimed that under section 200 of the Penal Code, she should be held. William J. Gaynor, the presiding Judge, said there was not sufficient ground to detain her for another Grand Jury, and ordered her discharge.

Counterfeiters' Den Raided.

Woncesten, Mass., June 8. After a week's watching, the Worcester police found a coun-terfeiting den on the Major Brown farm in Ogford, and yesterday George R. Hagg, chief of the New York office of the secret Service Bureau, accompanies by Frank Esquerell of the same office, together with Chief of Police Raymona and two Inspectors, went to the farm. They arrested four Syrians and selved an elaborate outhit for making counterfeit dime, quarters, and half-stollars. The Syrians were held in Boston te-day for trial.

The Muto 11. ife Insurance Company brought suits in this city yesterday against David C. Robinson, formerly Mayor of Elmira, to foreclose mortgages made by him aggregating \$225,000 on property in Elmira. Suits were also brought against other parties to foreclose three mortgages aggregating \$180,000 on land to Elmira, in which either Mr. Robinson or his wife is reade a party defendant.

CARPET T. M. STEWART,

CLEANING THE PLAN AND THE PLAN